

tive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (c).

(Pub. L. 115–141, div. P, title VI, §620, Mar. 23, 2018, 132 Stat. 1114.)

### § 1511. Rules of construction

#### (a) Ranges of frequencies

Each range of frequencies described in this chapter shall be construed to be inclusive of the upper and lower frequencies in the range.

#### (b) Assessment of electromagnetic spectrum reallocation

Nothing in this chapter shall be construed to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000.

(Pub. L. 115–141, div. P, title VI, §621, Mar. 23, 2018, 132 Stat. 1115.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of div. P of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 1097, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out under section 1501 of this title and Tables.

Section 156 of the National Telecommunications and Information Administration Organization Act, as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000, referred to in subsec. (b), is section 156 of title I of Pub. L. 102–538, as added by Pub. L. 106–65, div. A, title X, §1062(a), Oct. 5, 1999, 113 Stat. 767, formerly set out as a note under section 921 of this title.

### § 1512. Relationship to Middle Class Tax Relief and Job Creation Act of 2012

Nothing in this chapter shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

(Pub. L. 115–141, div. P, title VI, §622, Mar. 23, 2018, 132 Stat. 1115.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of div. P of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 1097, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out under section 1501 of this title and Tables.

The Middle Class Tax Relief and Job Creation Act of 2012, referred to in text, is Pub. L. 112–96, Feb. 22, 2012, 126 Stat. 156. Title VI of the Act is classified principally to chapter 13 (§1401 et seq.) of this title. For complete classification of this Act to the Code, see section 1(a) of Pub. L. 112–96, set out as a Short Title of 2012 Amendment note under section 1 of Title 26, Internal Revenue Code, and Tables.

### § 1513. No additional funds authorized

No additional funds are authorized to be appropriated to carry out this chapter. This chapter shall be carried out using amounts otherwise authorized.

(Pub. L. 115–141, div. P, title VI, §623, Mar. 23, 2018, 132 Stat. 1115.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of div. P of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 1097, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out under section 1501 of this title and Tables.

## CHAPTER 15—SECURE AND TRUSTED COMMUNICATIONS NETWORKS

Sec.	
1601.	Determination of communications equipment or services posing national security risks.
1602.	Prohibition on use of certain Federal subsidies.
1603.	Secure and Trusted Communications Networks Reimbursement Program.
1604.	Reports on covered communications equipment or services.
1605.	Hold harmless.
1606.	Enforcement.
1607.	NTIA program for preventing future vulnerabilities.
1608.	Definitions.
1609.	Severability.

### § 1601. Determination of communications equipment or services posing national security risks

#### (a) Publication of covered communications equipment or services list

Not later than 1 year after March 12, 2020, the Commission shall publish on its website a list of covered communications equipment or services.

#### (b) Publication by Commission

The Commission shall place on the list published under subsection (a) any communications equipment or service, if and only if such equipment or service—

- (1) is produced or provided by any entity, if, based exclusively on the determinations described in paragraphs (1) through (4) of subsection (c), such equipment or service produced or provided by such entity poses an unacceptable risk to the national security of the United States or the security and safety of United States persons; and
- (2) is capable of—

(A) routing or redirecting user data traffic or permitting visibility into any user data or packets that such equipment or service transmits or otherwise handles;

(B) causing the network of a provider of advanced communications service to be disrupted remotely; or

(C) otherwise posing an unacceptable risk to the national security of the United States or the security and safety of United States persons.

#### (c) Reliance on certain determinations

In taking action under subsection (b)(1), the Commission shall place on the list any commu-

nications equipment or service that poses an unacceptable risk to the national security of the United States or the security and safety of United States persons based solely on one or more of the following determinations:

(1) A specific determination made by any executive branch interagency body with appropriate national security expertise, including the Federal Acquisition Security Council established under section 1322(a) of title 41.

(2) A specific determination made by the Department of Commerce pursuant to Executive Order No. 13873 (84 Fed. Reg. 22689; relating to securing the information and communications technology and services supply chain).

(3) The communications equipment or service being covered telecommunications equipment or services, as defined in section 889(f)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1918).

(4) A specific determination made by an appropriate national security agency.

**(d) Updating of list**

**(1) In general**

The Commission shall periodically update the list published under subsection (a) to address changes in the determinations described in paragraphs (1) through (4) of subsection (c).

**(2) Monitoring of determinations**

The Commission shall monitor the making or reversing of the determinations described in paragraphs (1) through (4) of subsection (c) in order to place additional communications equipment or services on the list published under subsection (a) or to remove communications equipment or services from such list. If a determination described in any such paragraph that provided the basis for a determination by the Commission under subsection (b)(1) with respect to any communications equipment or service is reversed, the Commission shall remove such equipment or service from such list, except that the Commission may not remove such equipment or service from such list if any other determination described in any such paragraph provides a basis for inclusion on such list by the Commission under subsection (b)(1) with respect to such equipment or service.

**(3) Public notification**

For each 12-month period during which the list published under subsection (a) is not updated, the Commission shall notify the public that no updates were necessary during such period to protect national security or to address changes in the determinations described in paragraphs (1) through (4) of subsection (c).

(Pub. L. 116–124, §2, Mar. 12, 2020, 134 Stat. 158.)

**Editorial Notes**

**REFERENCES IN TEXT**

Executive Order No. 13873, referred to in subsec. (c)(2), is Ex. Ord. No. 13873, May 15, 2019, 84 F.R. 22689, which is listed in a table under section 1701 of Title 50, War and National Defense.

Section 889(f)(3) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, referred

to in subsec. (c)(3), is section 889(f)(3) of Pub. L. 115–232, which is set out in a note preceding section 3901 of Title 41, Public Contracts.

**Statutory Notes and Related Subsidiaries**

**SHORT TITLE**

Pub. L. 116–124, §1, Mar. 12, 2020, 134 Stat. 158, provided that: “This Act [enacting this chapter] may be cited as the ‘Secure and Trusted Communications Networks Act of 2019’.”

**§ 1602. Prohibition on use of certain Federal subsidies**

**(a) In general**

**(1) Prohibition**

A Federal subsidy that is made available through a program administered by the Commission and that provides funds to be used for the capital expenditures necessary for the provision of advanced communications service may not be used to—

(A) purchase, rent, lease, or otherwise obtain any covered communications equipment or service; or

(B) maintain any covered communications equipment or service previously purchased, rented, leased, or otherwise obtained.

**(2) Timing**

Paragraph (1) shall apply with respect to any covered communications equipment or service beginning on the date that is 60 days after the date on which the Commission places such equipment or service on the list required by section 1601(a) of this title. In the case of any covered communications equipment or service that is on the initial list published under such section, such equipment or service shall be treated as being placed on the list on the date on which such list is published.

**(b) Completion of proceeding**

Not later than 180 days after March 12, 2020, the Commission shall adopt a Report and Order to implement subsection (a). If the Commission has, before March 12, 2020, taken action that in whole or in part implements subsection (a), the Commission is not required to revisit such action, but only to the extent such action is consistent with this section.

(Pub. L. 116–124, §3, Mar. 12, 2020, 134 Stat. 159.)

**§ 1603. Secure and Trusted Communications Networks Reimbursement Program**

**(a) In general**

The Commission shall establish a reimbursement program, to be known as the “Secure and Trusted Communications Networks Reimbursement Program”, to make reimbursements to providers of advanced communications service to replace covered communications equipment or services.

**(b) Eligibility**

The Commission may not make a reimbursement under the Program to a provider of advanced communications service unless the provider—

(1) has 10,000,000 or fewer customers; and

(2) makes all of the certifications required by subsection (d)(4).